

**Sughrue**

SUGHRUE MION, PLLC

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JAN 29 2003

Gordon Kit

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January 29, 2003

**BOX CPA**

Commissioner for Patents  
Washington, D.C. 20231

Re: Application of **Susumu IKEHARA,**  
**Kikuya SUGIURA, Tienan JIN,**  
**Haruo MORITA, Shinji SOGA,**  
**Kazuya YAMANISHI and Masakazu ADACHI**  
entitled "**METHOD OF INDUCING**  
**IMMUNOTOLERANCE IN AN ORGAN**  
**TRANSPLANTATION RECIPIENT**"  
Assignee: **JAPAN IMMUNORESEARCH**  
**LABORATORIES CO., LTD.**  
Our Ref: **Q-55691**

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (Continued Prosecution Application (CPA)) of pending prior Application No. **09/380,579**, filed on **September 7, 1999**, of **Susumu IKEHARA, Kikuya SUGIURA, Tienan JIN, Haruo MORITA, Shinji SOGA, Kazuya YAMANISHI, and Masakazu ADACHI** entitled "**METHOD OF INDUCING IMMUNOTOLERANCE IN AN ORGAN TRANSPLANTATION RECIPIENT**"; which is a 371 of **PCT/JP98/00909**, filed **March 4, 1998**.

This application is being filed under 37 C.F.R. § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 1644.

The Examiner is respectfully requested to enter the Amendment Under 37 C.F.R. § 1.116 (Amendment After Final) previously filed on November 26, 2002, but unentered in the prior application.

TECH CENTER 1600/2900

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The Declaration and Power of Attorney appears in the original papers of the prior application.

Priority is claimed from:

<u>Country</u>	<u>Application No</u>	<u>Filing Date</u>
JAPAN	52930/1997	March 7, 1997
JAPAN	155015/1997	June 12, 1997
JAPAN	346737/1997	June 16, 1997

The priority documents were submitted during entry of National Phase for Parent Application No. 09/380,579.

A Petition for Three-month Extension of Time, along with payment of the appropriate fee, is being filed simultaneously herewith in Parent Application No. 09/380,579. The application is timely filed.

The Government filing fee is calculated as follows:

Total claims	<u>2</u> - 20	= <u>    </u> x	\$18.00 =	<u>    </u> \$0.00
Independent				
claims	<u>1</u> - 3	= <u>    </u> x	\$84.00 =	<u>    </u> \$0.00
Base Fee				\$750.00

**TOTAL FILING FEE**

**\$750.00**

A check for the statutory fee of \$750.00 is attached. The U.S. Patent and Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,  
**SUGHRUE MION, PLLC**

  
Gordon Kit

Registration No. 30,764

WASHINGTON OFFICE



**23373**

PATENT TRADEMARK OFFICE